

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

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U.S. DISTRICT COURT
DISTRICT OF MASS.

MASSACHUSETTS DEVELOPMENT)
FINANCE AGENCY)
Plaintiff,)

v.)

C.A. No. 04 CV 10203 PBS

ADP MARSHALL, INC., a FLUOR)
DANIEL COMPANY, and FIREMAN'S)
FUND INSURANCE COMPANY)
Defendants.)

ADP MARSHALL, INC.)
Plaintiff-in-Counterclaim,)

v.)

MASSACHUSETTS DEVELOPMENT)
FINANCE AGENCY)
Defendant-in-Counterclaim.)

ADP MARSHALL, INC.)
Third Party Plaintiff,)

v.)

ALLIED CONSULTING ENGINEERING)
SERVICES, INC., et al.)
Third Party Defendants.)

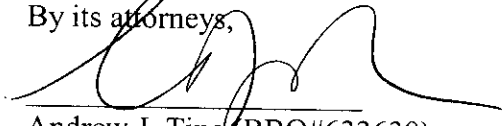
**DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION FOR LEAVE TO
FILE BRIEF IN EXCESS OF TWENTY PAGES, OR IN THE ALTERNATIVE,
MOTION FOR LEAVE TO FILE REPLY BRIEF**

Now comes ADP Marshall, Inc. ("ADPM") and opposes the Massachusetts Development Finance Agency's ("MDFA") Motion for Leave to File Brief in excess of Twenty Pages. In the alternative, ADPM requests leave to file a reply brief, limited to ten (10) pages, to respond to the

MDFA's lengthy papers submitted in opposition to ADPM's motion. The MDFA's opposition exceeds the twenty (20) page limitation of Local Rule 7.1 by eighteen (18) pages. We think the MDFA's arguments could and should have been more concise. Further, such a lengthy opposition provides the MDFA with nearly twice the verbiage allowed under the rules to advance its position. If leave is granted to permit the MDFA to file a thirty-eight (38) page opposition, ADPM seeks leave to file a short reply brief in order to level the playing field.

WHEREFORE, ADPM respectfully requests that the MDFA's motion be denied, or in the alternative, that ADPM be granted leave to file a ten (10) page reply brief prior to the February 16, 2005 hearing.

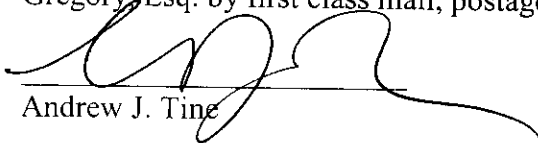
Respectfully submitted,
ADP Marshall, Inc.
By its attorneys,



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CERTIFICATION OF SERVICE

I, Andrew J. Tine, hereby certify that I served a true and correct copy of the foregoing paper upon Edward Vena, Esq., John McNamara, Esq., Warren Hutchison, Esq., Eric Loeffler, Esq., John Bruno, Esq., Allen Whitestone, Esq., William O'Gara, Esq., Robert Pierce, Esq., and Jay Gregory, Esq. by first class mail, postage pre-paid, this 25th day of January, 2005.



Andrew J. Tine